

DEPARTMENT OF SOCIAL SERVICES
744 P Street, Sacramento, CA 95814



December 5, 1994

ALL COUNTY LETTER NO. 94-103

TO: ALL COUNTY WELFARE DIRECTORS
ALL CHILD SUPPORT DIRECTORS


SUBJECT: PROPOSITION 187

On November 22, 1994, federal district court Judge Matthew Byrne issued Temporary Restraining Order in the case of League of United Latin American Citizens v. Wilson concerning the provisions of Proposition 187. The order prohibits the enforcement or implementation in any way of the provisions of Proposition 187 other than Section 2 and 3 relating to the crimes of manufacture, distribution, sale, or use of false citizenship or immigration papers. The Department of Social Services is a defendant in the case.

Paragraph 3 of the order requires the Department to transmit to all county welfare departments a verbatim copy of the temporary restraining order. The order is attached.

Until further order of the court and instructions from this Department, you are to take no action to enforce or implement the provisions of proposition 187. All current regulations, policies and procedures of this Department are to continue to be applied. A hearing has been scheduled for December 14, 1994 in federal district court on plaintiffs' request for issuance of a preliminary injunction. We will keep you informed of developments in the case as they occur.

Sincerely,


ELOISE ANDERSON
Director

Attachment

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LODGED
CLERK, U.S. DISTRICT COURT
NOV 1 1994
CENTRAL DISTRICT OF CALIFORNIA
BY *Wm. S. [illegible]*

FILED
NOV 2 1994
CLERK, U.S. DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
DEPT. OF JUSTICE

UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

GREGORIO T., et al.,)	CASE NO. 94-7652 MRP (JR x)
Plaintiffs,)	
vs.)	TEMPORARY RESTRAINING ORDER;
PETE WILSON, et al.,)	STIPULATION OF COUNSEL
Defendants.)	
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LEAGUE OF UNITED LATIN AMERICAN)	CASE NO. 94-7569 MRP (JR x)
CITIZENS, et al.,)	
Plaintiffs,)	
vs.)	
PETE WILSON, et al.,)	
Defendants.)	

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2 1. IT IS HEREBY ORDERED that, in order to maintain the status
3 quo pending hearing and determination of the motion for preliminary
4 injunction in these cases, all defendants, their officers, agents,
5 and employees, and all other persons subject to their authority or
6 control, shall be and are hereby restrained and enjoined from
7 enforcing or implementing in any way any of the provisions of
8 Proposition 187 other than Sections 2 and 3 relating to the crimes
9 of manufacture, distribution, sale, or use of false citizenship or
10 immigration papers.

11 2. Nothing in this temporary restraining order shall prohibit
12 defendants from the preparation of administrative regulations or
13 other directives (provided that no such regulations or directives
14 shall be disseminated to the public or published without further
15 order of this court).


16 3. IT IS FURTHER ORDERED that a verbatim copy of this order
17 shall be promptly sent, by appropriate transmission, by the state
18 defendants, excluding the Department of Education, the
19 Superintendent of Public Instruction and the State Board of
20 Education, to all employees involved in the implementation of
21 Proposition 187. In addition, the California State Attorney General
22 shall promptly send a verbatim copy of this order to all District
23 Attorneys, Police Chiefs and Sheriffs. Additionally, a verbatim
24 copy of this order shall be promptly sent by the Department of
25 Health Services to its employees, counties, Medi-Cal licensed
26 providers and all health care facilities licensed by the Department
27 of Health Services, and by the Department of Social Services to All
28 County Welfare Departments.

1 4. IT IS FURTHER ORDERED that a verbatim copy of this order
2 shall be promptly sent, by appropriate transmission, by the
3 Superintendent of Public Instruction to the governing boards of each
4 school district and the county superintendents of education.

5 5. IT IS FURTHER ORDERED that the Superintendent of Public
6 Instruction and the State Board of Education shall oversee the
7 activities of all California school districts to ensure that they do
8 not implement section 48215 of the California Education Code.

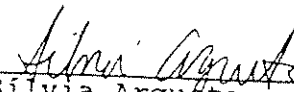
9 6. IT IS FURTHER ORDERED that, pursuant to the Stipulation of
10 the parties attached hereto, this order shall remain in full force
11 and effect until further order of the Court.

12 DATED: November 21, 1994

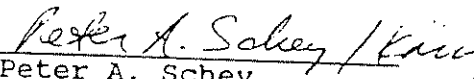

Hon. Wm. Matthew Byrne, Jr.
United States District Judge

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15 Approved as to form by:

16 DATED: November 18, 1994


Silvia Argueta
Attorney for Plaintiffs in
Gregorio T.


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19 DATED: November 18, 1994


Peter A. Schey
Attorney for Plaintiffs in
League of United Latin American
Citizens

20
21
22 DATED: November 18, 1994

23 John H. Sanders
24 Supervising Deputy
25 Attorney General
Attorney for State Defendants
(except education defendants)

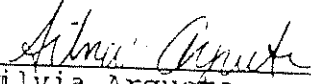
26 DATED: November 18, 1994


Joseph Symkowick
General Counsel
By: Janet McCormick
Deputy General Counsel
Attorney for State Education
Defendants

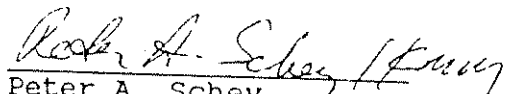
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2 STIPULATION AMONG THE PARTIES REGARDING DURATION
AND PUBLICATION OF THE TEMPORARY RESTRAINING ORDER

3 1. The parties agree that the Temporary Restraining Order
4 issued in the above entitled cases shall remain in full force and
5 effect until further order of the Court.

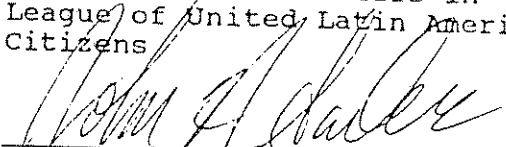
6 DATED: November 18, 1994


Silvia Argueta
Attorney for Plaintiffs in
Gregorio T.


9 DATED: November 18, 1994


Peter A. Schey
Attorney for Plaintiffs in
League of United Latin American
Citizens

12 DATED: November 18, 1994

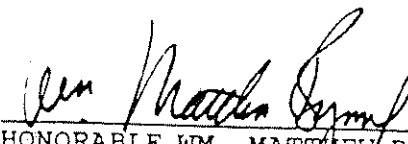

John H. Sanders
Supervising Deputy
Attorney General
Attorney for State Defendants
(except Education Defendants)

16 DATED: November 18, 1994


Joseph Symkowick
General Counsel
By: Janet McCormick
Deputy General Counsel
Attorney for State Education
Defendants

22 IT IS SO ORDERED.

24 Dated: November 21, 1994


HONORABLE WM. MATTHEW BYRNE, JR.
United States District Judge